

REMARKS

Claims 1-13 are pending in this application. By this Amendment, claims 1, 5 and 13 are amended. Reconsideration of the application in light of the foregoing claim amendments and the following remarks is respectfully requested.

The Office Action applies U.S. Patent 6,290,360 to Konuma et al. in a rejection of claims. However, Konuma is not listed on a Form PTO-1449 of an Information Disclosure Statement. The Office Action does not list Konuma on a Form PTO-892. Thus, in order to place Konuma on record, a Form PTO-1449 is enclosed herewith to list Konuma. The Examiner is respectfully requested to return an initialed copy of this Form PTO-1449.

Also, the Examiner is respectfully requested to consider the references listed on, and to return an initialed copy of, the Form PTO-1449 submitted with the March 3, 2004 Information Disclosure Statement. For the Examiner's convenience, a copy of the March 3, 2004 Form PTO-1449 is enclosed herewith.

The Office Action rejects claims 1, 2, 5 and 13 under 35 U.S.C. §103(a) over U.S. Patent 6,375,328 to Hashizume et al. in view of U.S. Patent 6,891,104 to Dinh; and rejects claims 3 and 4 under 35 U.S.C. §103(a) over Hashizume in view of Dinh, and further in view of U.S. Patent 6,741,354 to Menard. These rejections are respectfully traversed.

The Office Action acknowledges that Hashizume does not disclose or suggest a cover being selected from a plurality of ones having different shapes and surface areas; but asserts that Dinh discloses this feature. However, Dinh does not disclose or suggest a cover being selected from a plurality of ones having different shaped heat dissipating structure and the same shaped opening, as recited in claims 1, 5 and 13.

In particular, Dinh discloses openings 214, 612 and 712 having different shapes. See Figs. 2, 6 and 7; col. 3, lines 53-57; col. 5, lines 52-56; and col. 6, lines 28-34. Dinh does not disclose or suggest a plurality of covers having different shaped heat dissipating structure and

the same shaped opening. Therefore, Dinh does not disclose or suggest the subject matter recited in claims 1, 5 and 13. Hence, Dinh does not supply the subject matter lacking in Hashizume.

In addition, Menard does not disclose or suggest a plurality of covers having different shaped heat dissipating structure and the same shaped opening. Therefore, Menard does not supply the subject matter lacking in Hashizume. Hence, Hashizume, Dinh and Menard, either individually or in combination, do not disclose or suggest the subject matter recited in claims 1, 5 and 13, and claims 2-4 depending therefrom.

Furthermore, one of ordinary skill would not have been motivated to combine Dinh with Hashizume. In particular, Dinh is not analogous art to the subject matter recited in claim 1, as amended.

As discussed above, Dinh discloses a cover for protecting an electrical connector box from damp situations. The connector box has interchangeable face plate with different shaped openings for different types of electronic components. On the other hand, claims 1, 5 and 13 recite a cased electro-optical apparatus with a cover having heat dissipating structure that dissipates heat from the electro-optical unit. As is known, an electrical connector box and an electrical-optical apparatus are not from the same field of endeavor, and interchangeable face plates with different shaped openings for different types of electric components and a heat dissipating structure that dissipates heat from an electro-optical unit are not for the same purpose. Therefore, Dinh is non-analogous art to the subject matter recited in claims 1, 5 and 13, because Dinh is related to neither the same field of endeavor, nor for the same purpose. See *In re Clay*, 966 F.2d. at 659, 23 USPQ2d at 1060-1061 (Fed. Cir. 1992). See also *In re Bigio*, 72 USPQ2d 1209 (Fed. Cir. 2004).

For at least the above reasons, one of ordinary skill in art would not have been motivated to combine Dinh with Hashizume. Also, Hashizume, Dinh and Menard, even if

combined, do not disclose or suggest the subject matter recited in claims 1, 5 and 13, and claims 2-4 depending therefrom. Accordingly, withdrawal of the rejection of claims 1-5 and 13 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action rejects claims 6-11 under 35 U.S.C. §103(a) over Hashizume in view of U.S. Patent 6,290,360 to Konuma further in view of Menard; and rejects claim 12 under 35 U.S.C. §103(a) over Hashizume in view of Menard and Konuma, and further in view of U.S. Patent Publication 2002/0060779 to Furuhashi et al. These rejections are respectfully traversed.

The Office Action acknowledges that Hashizume does not disclose or suggest a first case that contains at least one of the electro-optical units; and a second case having a different shape compared to the first case that contains at least one of the electro-optical units not contained in the first case, as recited in claim 6. However, the Office Action asserts that Konuma discloses a heat sink placed to one side of a projection unit, and Menard discloses a surface area increasing portion for heat dissipation. Thus, the Office Action asserts that it would have been obvious to one of ordinary skill to add Menard's surface area increasing portion and Konuma's heat sink to Hashizume's device.

However, the Office Action fails to establish a *prima facie* obviousness. In particular, the Office Action appears to assume that Konuma's heat sink is used for cooling the panels 14, 18 and 21. (See Figs. 8 and 9 of Konuma.) Based on this assumption, the Office Action asserts that Menard's area increasing portions may be used for Konuma's panels to compensate for the different distances between the heat sink and each of the different panels 14, 18 and 21. However, this assumption is incorrect.

In particular, as shown in Figs. 8 and 9 of Konuma, the heat sink 66 is for cooling the second duct 101, and is not directly in contact with any of the panels 14, 18 and 21. Therefore, the heat sink 66 only cools the exhaust air traveling through the second duct 101,

and does not have any influence on the cooling of the panels 14, 18 and 21. Hence, Konuma does not disclose or suggest that the cooling of the panels 14, 18 and 21 are different, with the cooling of one panel being more than the others. Thus, Konuma does not have the need for a surface area increasing portion to increase the cooling of one particular panel compared to other panels.

For at least the above reasons, Konuma does not disclose or suggest different coolings of different panels. Therefore, the Office Action's assumption that Konuma is in need of a surface area increasing portion to compensate for the difference in the coolings of different panels is incorrect. Hence, the Office Action fails to establish a *prima facie* case of obviousness. Accordingly, withdrawal of the rejection of claims 6-12 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gang Luo
Registration No. 50,559

JAO:GXL/sqb

Attachments:

Copy of March 3, 2004 Form PTO-1449
Form PTO-1449 for U.S. Patent 6,290,360

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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